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What the Berlin Crisis Really Shows

No one asks us whether we want to die for Berlin, and no one asks the Russians whether *they* want to die for Berlin, though we are presumed to be free and they are supposed to be slaves. And of course neither side, though each considers itself morally superior, ours as the Bearer of the Cross against Atheistic Communism and theirs as the Champion of the Oppressed against Capitalist Imperialism, thinks of consulting the millions of other people on the earth a conflict between us might destroy. Though the devices in readiness may poison the air and pollute the soil, the leaders on both sides talk as calmly of resorting to war over Berlin as if the conflict were to be fought with muskets. The Berlin crisis lights up the criminal anarchy to which the world is exposed by a system of national states which recognize no law but their own will and share a common belief in their sacred right to consign millions to death if they so choose.

An Odd Collection of Old Fumblers

The difference in our forms of government are said to be the source of inescapable conflict between us. Every government is a device by which a few control the actions of many. The governors may be chosen by birth, ballot or intrigue, but in any case a few govern, the rest obey. On both sides at the moment complex human societies depend for the final decisions of war and peace on a group of elderly men any sensible plant personnel manager, whether under capitalism or communism, would hesitate to hire.

Here we have at the top a cardiac case whose chief interest is in getting away from his job as often as possible for golf and bridge; his No. 2 man is in a hospital with cancer; the next highest ranking foreign policy official is an arthritic on crutches. On the other side, there is an ebullient dictator in his mid-sixties, eager after long years of humiliating subservience to a brutal predecessor to enjoy the pleasures of power in the few years left him; a clever man, but much too fond of his own wit; a man who may not drink too much but certainly talks too much; above all, a man with the unsureness of the newly arrived, anxious to make more legitimate rulers recognize and confer with him and thus give him more solid status, ready to create a crisis and risk a war to get himself a Summit. Who anointed these senescent fumblers? Who are they that the fate of the species should be in their hands?

Deterrence Fails at Its First Test

It is plain to see that deterrence does not deter. We have been living on the comfortable calculation that the new weapons are so terrible that only a madman would use them. Now we can see that the conventional minded may be fully as dangerous as the mad. The closer we come to a showdown, the more men forget all they have been saying about war now being obsolete. In Congress even the faltering voices of conciliation say that of course on Berlin we cannot compromise and of course if the top men give the signal we will all march as one into the fire. No one says it would be as insane to risk a world conflagration over one city as it would be to allow two quarrelling home-owners to burn down a whole town in their readiness to spite each other. Such thoughts, on both sides, are suspect. The issue, we are told, is not Berlin. Berlin is a symbol. The issue is that neither side wishes to lose face; neither wishes to back down; both fear irreparable damage to their prestige; both see allies drifting away if they do not stand firm; both fear other nations will think less of them if they do not show a readiness to fight for their rights. In short, the motivations of the duel and the momentum of the bar-room brawl, first the bluff and then the fight, are the determinants of national policy on both sides.

We're So Pure and They're So Wicked

Sen. DODD (D. Conn.) Mr. Dulles sees this conflict as a great moral struggle between the forces of good and the forces of evil. . . . We live in an age so poisoned with the false doctrine of secularism and materialism that even God-fearing men seem strangely embarrassed and ashamed to acknowledge publicly the role of morality in international relations. John Foster Dulles deserves the gratitude of mankind because he based his policies on moral grounds. . . .

Sen. BYRD (D. W. Va.) I commend my colleague, the Senator from Connecticut, for taking the position that there are moral principles and religious principles involved. . . . It is a matter of record that the men with whom we are dealing have no religion. They say that there is no God above the state. I say to my colleagues that when one deals with an atheist he deals with an individual who will break his word, an individual whose agreement is worthless, an individual who will rape, pillage, burn and murder.

—U. S. Senate, Debate on Berlin, Feb. 26.

Mass Murder Becomes A Sacred Duty

All this immemorial puerility of the human species is covered over with an equally ancient self-righteousness. The old moldy nonsense is reappearing in the pulpit, the newspaper columns and the halls of Congress. This (like every war known to history) is a conflict between freedom and slavery, right and wrong, good and evil. Compromise would therefore be wicked and only the slaughter of millions devout. The other fellow is No Good; he eats pig; he does not worship the walrus; he defiles our totem pole; he knows not Allah; he is not Godly like us. To kill him is a virtue which will earn us Paradise.

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The ABA Runs With the Witch Hunters But Claims to Stand by The Supreme Court

It Voted to Approve "But Not Endorse" A Report Few Had Time to Read

The American Bar Association has been in the forefront of progress backward. It once upheld the constitutional right of small children to work without interference by child labor laws and it opposed minimum wage legislation as an infringement on liberty of contract. For a short period in the late 30's under the influence of Grenville Clark, its Bill of Rights committee began to defend fundamental liberties of the kind that carry no dollar sign. But with the cold war this committee became moribund and the ABA set up a Special Committee on Communist Tactics, Strategy and Objectives. This has provided the annual meetings ever since with copious quotations from Lenin, Stalin and the *Daily Worker*.

This Committee's high point was the 1957 meeting in London where it implied that the Supreme Court was subverting the American Way of Life by upholding the Bill of Rights. Last year, however, the Committee met with a setback when the ABA declined to accept its recommendation that the appellate jurisdiction of the Supreme Court be cut down via the Jenner bill. This year at Chicago it did better.

Splitting A Mighty Fine Hair

The Committee turned in a report objecting to just about everything the Warren court has done and recommending legislation to get around the *Watkins*, *Yates*, *Nelson* and other decisions. The Board of Governors transmitted all this to the House of Delegates with only one minor correction but said its "recommendation for approval" of the report "does not constitute endorsement of the report itself." To recommend a report for approval without endorsing its contents is quite a feat, matched only by the Board's further disclaimer of any intention "to indicate censure of the Supreme Court." That, too, is a fine hair to split.

The most striking example of the ABA's capacity to remain chastely unaware was its approval of the recommendation that the Smith Act be amended to get around the *Yates* decision, which required some evidence of incitement—not mere advocacy—for conviction. Just how this can be done without running afoul of the First Amendment was left unanswered.

The "Liberals" Do A Vanishing Act

The outcome at Chicago might have been worse. Two liberal victories were won, one of them by a disappearing act. Last year the House of Delegates evaded recommendations from the Committee on Communist Tactics for extension of the security program to non-sensitive positions and for denial of passports on the basis of confidential information. The Committee was instructed to confer with another ABA Special Committee, that on Individual Rights as Affected by National Security. This high-sounding committee seems to have vanished so completely that no conference could be arranged. Ergo the Board of Governors again withheld action on these proposals.

The other liberal victory was the elimination of a reference which seemed to dismiss basic constitutional safeguards as "technicalities." The *New York Times*, to its credit, spoke out sharply against this in an editorial February 23. A liberal revolt struck the phrase out, but did not succeed in delaying action on the report itself until delegates could have time to read the 50-page document on which they were voting.

The Committee on Communist Tactics is about as representative of different legal points of view as the Women's Christian Temperance Union was of whiskey-drinkers. The chairman, Peter Campbell Brown, was so injudicious as head of the Subversive Activities Control Board he drove its one liberal member into public protest; as a New York City official, Mr. Brown distinguished himself by leading the movemen to make teachers inform. Louis C. Wyman, another member, is the New Hampshire Attorney General who was rebuked by the Court in the *Sweezy* case. Ray Murphy was once head of the American Legion and Louis B. Nichols was long the right hand man of J. Edgar Hoover. At least one or two of the other members struck reporters in Chicago as badly in need of a long, quiet rest. They were unanimous in finding the Un-American Activities Committee practically beyond reproach, though they felt its enabling resolution needed some face-lifting.

Backward and Forward But Ever Onward and Downward

"Also during the past year, the Communists went forward with the rocks and garbage thrown at Vice President Nixon in South America; backward with the smiles of Menshikov; forward with the executions of Nagy and Maleter; backward by allowing Tito to make a few anti-Soviet statements; forward with the defeats of anti-Communists in Syria and Indonesia. . . ."

—Report to the American Bar Association by its Special Committee on Communist Tactics.

Theology and Economics as Well as Law

Their report covers diplomacy, economics, and theology as well as law. It goes back to a statement by Secretary of State Colby in 1920 refusing recognition of the Bolsheviks and it ends up with quotations from such eminent divines as J. Edgar Hoover, John Foster Dulles and Pius XI on the moral incompatibility of co-existence. It objects to a summit conference, cultural exchanges, recognition of Red China, East-West trade and any agreement to halt nuclear tests. Its fruity collection of horrendous quotations even includes proof that Stalin misled the good people of St. Petersburg in the election of Jan. 12, 1913.

Splashing frenetically about on so many diverse aspects of the Red Peril, the report's discoveries do not always seem to fit its preconceptions. It finds that due to the arms race, U. S. gold reserves "are becoming alarmingly low," inviting the subversive idea that maybe we ought to try and negotiate an arms agreement after all. It says Soviet advances into outer space "have doubtless been aided by the theft of secrets from American scientists," suggesting that perhaps we ought to steal those secrets back again.

Mustn't Repeat the Reichstag's Mistake

The FBI in this report rates neck-and-neck with motherhood. Yet at one point the report says experience shows "the danger of restricting legislative investigations . . . the Reichstag never exposed the Nazis, purges by Hitler, concentrations camps and secret police." The moral here seems to be that Congress ought to investigate *our* secret police before it is too late.

At times the report is disappointing. The reader learns with a thrill of horror that in December, 1957, "the Communist *Daily Worker* desecrated the greatest religious holiday in Christendom." He expects to find at least that the paper freshened up its holiday ink that year with the blood of new born Christian babes. It is a let-down finally to be told that these dastardly conspirators merely suggested that cultural exchanges with the Soviet Union was Santa's best Christmas present that year to the American people.

Nowhere does the report strike out more strongly than at the popular belief that "Communism in the U. S. is dwindling in power because the Party is dwindling in numbers." The ABA Committee says this shows "a complete misunderstanding of Leninism." It says Lenin coined the phrase, "the fewer the better." From this one can only conclude that the Communist Party USA is getting better every day.

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Bulletin: All Who Want Peace Must Press Hard to Keep the Geneva Parley Going

Dulles When in London Tried to Persuade Macmillan to End Test Talks

I am reliably informed that Mr. Dulles when he was in London recently tried to get Macmillan to agree to break off the talks in Geneva for a test cessation agreement. Pressure is building up within the Administration for a break-off, and some officials hope to be able to announce it as soon as the British Prime Minister returns from Moscow.

The crucial point is the voting procedure in the control commission to be set up to monitor explosions. Whether a satisfactory agreement can be reached no one, of course, knows but one thing can be said with certainty. The possibilities of compromise have not been exhausted. Indeed, they have not been fully explored.

Two items which have gone almost unnoticed indicate the possibilities. A statement issued by the USSR Foreign Ministry on February 16 and circulated here by the Soviet Embassy to the press says, "In order to preclude the possibility of the control commission's being exploited in the interests of any single country, it is necessary to find a voting procedure in this agency which would assure equal status for all parties and equally take into consideration their security interests. The Soviet Government is ready to cooperate in the search for such a procedure."

Obviously this is different from insistence on unanimity or a veto. Senator Humphrey at a Senate disarmament subcommittee meeting February 25 indicated one possible compromise along this line. "I have thought," he said, "that what we might do is to have at each of these points, control points, or in the control commission over the test ban, not only the three participants—the United Kingdom, the U. S. and the U. S. S. R.—but to permit the USSR to select what it calls a neutral, and to permit the UK and the USA to select what they call a neutral, and therefore have two neutrals, so that if the Soviet Union does have a valid case, it will at least have an opportunity to have a majority, and the principle of majority rule would be controlling." Senator Humphrey added, "For us to permit this conference to break up without searching out every alternative on our initiative, in my mind, would be a sad, sad mistake."

Time For Those New House Liberals to Follow Proxmire's Example

Senator Proxmire got a sour reaction to his courageous speech Feb. 23 against Lyndon Johnson's one man control of the Senate.

But it is important to notice (1) that no one denied that there hadn't been a real party caucus in the Senate for years and (2) not even the Southern conservatives rose to deny that Lyndon more and more runs the show. The only answer, Neuberger's, was on a petty plane—it merely added up to a sneer about Proxmire's having accepted favors from Johnson. But is the right to serve on committees a favor, for which one must pay with lifelong fealty to the Leader?

The real point is not Lyndon Johnson; he is an able man, and a man of good will. But he tailors the party program to fit the needs of Texas. He makes the center of gravity the Southern moderates rather than the majority forces of the Democratic party, not merely on civil rights but on such social-economic needs as school construction.

The real point is that without democratic discussion within the ranks of the Democratic party in the Senate, the will of the voters is to a large extent negatived. The Senator, instead of being dependent on his constituents, is dependent on the leadership and disproportionately influenced by leadership decisions, decisions taken without consulting the party caucus. The result is Congressional monarchy.

Proxmire, like La Follette in his attack a half century ago on "Boss" Aldrich in the Senate, has opened up a crucial issue and deserves the widest support and applause for it.

Now, in Proxmire's wake, is the time for the new young liberals in the House to speak up along the same lines. Sam Rayburn, too, hasn't had a real caucus in years.

Consulting With Lyndon

Mrs. McCLENDON [San Antonio Light]: He [Lyndon Johnson] calls nearly all the Democratic Senators. Does he call you from time to time to ask your advice?

Senator Wm. PROXMIRE (D. Wis.): I have come into Senator Johnson's office, and it is a very interesting experience. . . . It is usually a one-way conversation. Regardless of who the person is, no matter how vigorous they are or how articulate they are or how well-informed they are on the measure, it is usually Lyndon Johnson talking and this is so at the beginning of the meeting and at the end of the meeting.

—Meet the Press, March 1.

An Eye-Witness Report on the New Cuban Regime by Congressman Porter

"Fidel Castro, President Manuel Urrutia, Ambassador Dihigo, his Cabinet Ministers and the 'barbados' or bearded ones in the 26th of July Movement are not the kind of people who countenance 'blood baths', much less arrange them. . . . The Castro men never looted, they never raped, they never tortured or killed prisoners. . . . Yes, an army is in control of Cuba, the rebel army. But there are civil liberties, including freedom of the press, and there is a promise of free and honest elections in less than two years. The men who are in command are decent men worthy of our support and sympathy. . . .

"The press has been free and wide-ranging since Batista left, yet I have to date seen not even one allegation that an innocent person has been executed or that any one of those condemned had no opportunity to defend himself. . . . The persons being executed are not shot because they are 'Batista supporters' as one news story stated, but because they were murderers of defenseless men, women and children. Castro can predict that about 400 will be executed because he knows very well the files on the notorious murderers in the police and in Masferrer's 'tiger' army. . . . Batista's men helped by not trying to hide many of their atrocities, thinking to intimidate the Cubans.

"I knew about these atrocities and I blamed Batista for them while he was in office. Many Cubans and others sent me stories and photographs. Why didn't the nation know? One reason is that Batista corrupted the press, even some of our own. He bought good words or, at least, silence. The Associated Press fired one of its employes in Havana, Arroyo Maldonado, a Cuban citizen, about a year ago when it found he was receiving money from Batista. . . .

"The shoe is now on the other foot in Latin America. Not long ago the lovers of freedom were running and hiding from torture and death. Now the forces of decency and democracy are growing stronger. They control Cuba and Venezuela, both potentially wealthy countries. Their leaders speak out against Trujillo. They are justified in doing so. I think this is in keeping with the most sacred traditions of the United States, a country which was born out of revolution against a tyrant."

—Cong. Chas. O. Porter (D. Ore.), "Eye-Witness Report", to the Cleveland, Ohio, City Club, Feb. 28.

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The Basic Clues to the Tense and Tangled Negotiations Now Beginning on Berlin

Neither Side Would Win A Free German Election on Its Own Future

Certain basic observations may help us find our way through the labyrinthine and tense negotiations beginning about Berlin.

1. A nuclear rearmed West Germany in NATO means a permanently divided Germany and therefore a divided Europe.

2. As long as Germany and Europe are divided, West Berlin will remain an exposed salient difficult to defend.

3. The Soviet bloc can take advantage of that salient at any time to exert pressure on the West. Moscow holds the initiative at that point, and it can throw the West into a bad case of hysterics and then make it look silly, as we will look silly for example if East German border guards make no effort to interfere with military convoys and merely stamp passes, as they do now on the civilian traffic.

A UN Garrison for A Free West Berlin?

4. A conference on Berlin alone cannot succeed; the area of negotiations is too narrow; one side or the other would have to back down, though sensibly considered a Free West Berlin guaranteed by all the powers *and garrisoned permanently by United Nations troops* (a point the Russians have not offered) might be just as secure and get us off the hook.

5. If there were no exposed West Berlin in the middle of East Germany, the two parts of Germany might not only settle down to an uneasy co-existence but come into ever closer relations as they have been doing.

6. In the same way that West Berlin complicates the future of Germany, so Germany complicates the future of Europe. If the two Germanies were somewhere off on a separate island, their division would not matter much. But since they are in the heart of Europe, neither side wants to withdraw and let Europe unite again until they are sure a united Germany won't end up in the other camp.

7. So crucial a struggle can only be settled peacefully by bargaining if the field of negotiations is broad enough to enable both sides to gain something from the settlement. That is why the agenda offered by the Russians for a Foreign Ministers' meeting is too narrow for success—it covers only West Berlin and a peace treaty with the separate Germanies—but the agenda offered for a summit meeting is hopeful because it also covers disengagement, disarmament, cessation of testing and abolition of atomic weapons. On so broad a terrain a successful agreement is possible *if both sides want it.*

8. The trouble is that the Adenauer-Dulles axis is determined not to settle now, believing that better terms can be exacted from the Russians later when the Germans have a fully armed nuclear army.

We Seem to Notice A Resemblance

Sen. DODD (D. Conn.) To me, flexibility implies compromise and concession. When applied to fundamental principles, right principles, flexibility is not only without virtue; it becomes a vice. What concessions or compromises can we make on the basic principles of our Berlin policy? . . .

Mr. Krushchev stated, only a few days ago, that the Soviet policy is absolutely inflexible; that the Kremlin will make no concessions; that they do not even want a Foreign Ministers' Conference. The Communists have remained intransigeant. . . .

—U. S. Senate, Feb. 26, Debate on Berlin.

On This They Agree With The Kremlin

9. This is a very dangerous poker game to play, and while we talk a lot about the peoples of the Soviet zone being "enslaved"—and certainly they have little freedom—on this central issue there is no doubt the Kremlin speaks for the vast majority of them. If Russians, Poles, Czechs and Hungarians could vote in a free election on whether to allow the Germans to have nuclear arms, the "No" vote would be overwhelming.

10. As for Germany itself, it is generally agreed that a reunited Germany would have a Social Democratic majority. The Social Democrats, like the British laborites, would trade free elections in the East Zone for a denuclearized neutral Germany.

It is a pity the world's neutrals aren't strong enough to challenge both Moscow and Washington to agree to a free plebiscite in Germany on its future. There is little doubt the result would be to liquidate the East German regime but to neutralize a reunited Reich.

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